

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 EBATES PERFORMANCE MARKETING,
4 INC. d/b/a RAKUTEN REWARDS and
5 CARTERA COMMERCE, INC.,

6 Plaintiffs,

7 v.

8 MYMAIL, LTD.,

9 Defendant.

CASE NO. 20-cv-04768-LHK

**[PROPOSED] ORDER DENYING DEFENDANT'S
MOTION TO DISMISS THE COMPLAINT
UNDER 28 U.S.C. § 2201 AND FRCP RULE 4(k)
(as Revised 8/17/20)**

10 Before the Court is Defendant MyMail, Ltd.'s Motion to Dismiss The Complaint Under 28 U.S.C.
11 § 2201 and FRCP 4(k) (as Revised 8/17/20) ("Motion"). Having considered Defendant's Motion, Plaintiffs
12 Ebates Performance Marketing, Inc. d/b/a Rakuten Rewards and Cartera Commerce, Inc.'s Opposition,
13 and any affidavits attached thereto, Defendant's Motion is DENIED.

14 **IT IS SO ORDERED.**

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16 Dated: _____

17 Hon. Lucy H. Koh
18 United States District Judge
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